THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 3428 of 1996

30-08-2005

Between:

Smt. Medanki Kumari, W/o. Late Nageswara Rao,
R/o. Kotturivarigudem ,Hamlet of Ramannapalem, Kamavarapukota Mandal,
West Godavari Dt.

..... PETITIONER

AND

1 Revenue Divisional Officer, Eluru.
2 District Collector, Eluru.

.....RESPONDENTS

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 3428 of 1996

O R D E R:

This writ petition is filed questioning the proposed acquisition of the land belonging to the petitioner for providing house sites to scheduled castes and backward classes.

The case of the petitioner is that she belongs to schedule caste community and that her father-in-law Dharmaiah owned Ac.4.39 cents, and that after the death of her husband an extent of Ac.0.90 cents from out of Ac.,1.68 in R.S.No.100/8 was given to her as her share in 1989, and eversince then she has been in possession and enjoyment of the said land and the paper publication made on 03-02-1996 in Eenadu Telugu daily News Paper contained a draft declaration under Section 6 of the Land Acquisition Act that Ac.1.68 cents in R.S.No.100/8 Kotturivarigudem Hamlet of Ramannapalem, Kamavarapukota Mandal is being acquired as it is needed for providing house sites to the members of Scheduled Caste and backward classes. Questioning the acquisition of her land of Ac.0.90 cents in R.S.No.100/8, petitioner filed this writ petition.

The learned Government Pleader, on instructions stated that the land of the petitioner is not required for the purpose mentioned in the notification and accordingly proposals are being sent to the concerned for withdrawing the land belonging to the

petitioner from acquisition.

As seen from proceedings on the docket on 23-02-1996, at the time of admission of the writ petition, Interim Stay of all further proceedings was granted. In view thereof and in view of the submission of the learned Assistant Government Pleader that the land of the petitioner is not required for acquisition, notification relating to acquisition of Ac.0.90 cents from out of Ac.1.68 cents in R.S.No.100/8 Kotturivarigudem, Hamlet of Ramannapalem, Kamavarapukota Mandal, West Godavari District is quashed.

The writ petition is accordingly allowed. No costs.

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30-08-2005

Mjl/*